



MINUTES OF MEETING of the CLACKMANNANSHIRE LICENSING BOARD held within the Council Chamber, Kilncraigs, Greenside Street, ALLOA, FK10 1EB, on TUESDAY 23 JANUARY 2018 at 9.30 am.

PRESENT

Councillor Kenneth Earle, (Chair)
Councillor Martha Benny
Councillor Dave Clark
Councillor Craig Holden
Councillor Tina Murphy

IN ATTENDANCE

June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Lindsay Thomson, Service Manager, Legal and Democracy (Clerk to the Board)
Melanie Moore, Committee Services
Margaret Summers, Committee Services

1.0 APOLOGIES

Apologies for absence were received from Councillor George Matchett, QPM, Councillor Les Sharp and Councillor Mike Watson.

2.0 DECLARATIONS OF INTEREST

None

**3.0 MINUTES OF MEETING: CLACKMANNANSHIRE LICENSING BOARD:
28 NOVEMBER 2017**

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 28 November 2017 were submitted for approval.

Decision

The minutes of the meeting of the Clackmannanshire Licensing Board held on Tuesday 28 November 2017 were agreed as a correct record and signed by the Chair.

4.0 LICENSING (SCOTLAND) ACT 2005

Agenda items 4(i) and 4(ii) had been granted under delegated powers and were put before the Board for information only. Items 4(i) and 4(ii) were, therefore, considered together as one item.

(i) Applications for Personal Licence – Granted Under Delegated Powers

A list of personal licence applications numbered 1-5 (inclusive) which had been granted under delegated powers was put before the Board for information only.

Moved by Councillor Dave Clark. Seconded by Councillor Craig Holden.

Decision

The Board agreed to note that Personal Licence Applications numbered 1-5 (inclusive) had been granted under delegated powers.

(ii) Application for Transfer of Licence – Granted Under Delegated Powers

An application for the transfer of a premises licence for Azad Groceries, 101 Newmills, Tullibody, which had attracted no objections or representations and had been granted under delegated powers was put before the Board for information only.

Moved by Councillor Tina Murphy. Secondary by Councillor Martha Benny.

Decision

The Board agreed to note that an application for the transfer of a premises licence for Azad Groceries, 101 Newmills, Tullibody, which had attracted no objections or representations had been granted under delegated powers.

5.0 LICENSING (SCOTLAND) ACT 2005

(i) Application for Variation of Licence (Non-Minor)

Premises: The Royal Arms, 2 High Street, Tillicoultry, FK13 6AE

Applicant: Premier Management (Alloa) Limited, High Street, Tillicoultry, FK13 6AA

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Bramley Eccles, Applicant, The Royal Arms

An application for a variation of a licence (non-minor) which had attracted no objections or representations was put before the Board for determination.

The application sought a variation to the operating plan to include live performances, dancing facilities, films and a change of the premises manager's home address.

The Board heard representation from the Licensing Standards Officer and the applicant and had opportunity to put questions to both parties.

Motion

Having considered all of the information presented to it and representations made and having determined that no grounds for refusal apply, that the Board grants the application for a variation to the premises licence.

Moved by Councillor Craig Holden. Seconded by Councillor Tina Murphy.

Decision

Having considered all of the information presented to it and representations made and having determined that no grounds for refusal apply, the Board agreed to grant the application for a variation to the premises licence.

Action

Clerk to the Board

6.0 LICENSING (SCOTLAND) ACT 2005 – OCCASIONAL LICENCE APPLICATIONS

(i) Application for Occasional Licence – 24 February 2018

Applicant: Craig Stewart, Oakwood Lounge, Fairfield Road, Sauchie, FK10 3DE

Premises: Alloa Town Hall, Marshill, Alloa, FK10 1AB

Event: Alloa Masters Darts Exhibition

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Craig Stewart, Applicant

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 35) of the Licensing Standards Officer's report dated 10 January 2018.

Moved by Councillor Dave Clark. Seconded by Councillor Tina Murphy.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Board agreed unanimously to grant the application subject to the conditions set out in Appendix A (page 35) of the Licensing Standards Officer's report dated 10 January 2018, namely:

- All alcohol must be sold and supplied to the customer in or decanted into, plastic or polycarbonate bottles and drinking vessels.
- Only alcohol sold at the event by the licensee can be consumed at the event.
- A sufficient number of SIA Licensed Stewards must be on duty to control entry to the premises, to monitor any areas immediately outside the premises used by persons attending the event who have temporarily left to smoke, and to monitor and supervise the behaviour of persons within the venue, including a specific responsibility to make regular checks of the toilets and to monitor the upper balcony area in relation to the safety and wellbeing of children and young persons attending the event.
- At least one person who holds a suitable first aid qualification must be on duty at the event.
- At least one Personal Licence Holder must be on the premises for the duration of the event, and be responsible for authorising all sales of alcohol.
- Only trained staff will be permitted to make sales of alcohol.
- Any music or other entertainment must cease at no later than 22:30 hours.
- All Children and young person must remain in the company of a parent or other formal guardian over the age of 18 years of age and must remain in the upper Balcony area for

the duration of the event. Except when that child or young persons is participating in a darts match.

- No Alcohol is to be taken to or consumed in the Balcony, foyer, stairwells, upper landings or toilets.
- A full briefing document detailing the term of the licence, including local conditions and all measures to be put in place by the applicant to ensure compliance with the protecting children from harm licensing objective should be prepared and supplied to all Stewards on duty at the event. A copy of this Document should be made available to the Licensing Board and Licensing Standards Officer at least 7 days prior to the event.

Action

Clerk to the Board

The order of business was rearranged by the chair at this point in the proceedings to facilitate the applicant attending for agenda item 06(i) (Occasional Licence Application) and agenda item 08 (AOCB – Occasional Licence Application).

(ii) Application for Occasional Licence – 16 February 2018

Applicant: Craig Stewart, Oakwood Lounge, Fairfield Road, Sauchie, FK10 3DE

Venue: Alloa Town Hall, Marshall, Alloa, FK10 1AB

Event: Charity Band Night – 16 February 2018

Attending

Mr Paul Fair, Licensing Standards Officer

Mr Craig Stewart, Applicant

Motion

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 49) of the Licensing Standards Officer's report dated 17 January 2018 and subject to an additional condition to ensure that children aged 5 years and under have vacated the premises by 9.30 pm in accordance with the licensing objective (e) protecting children from harm.

Moved by Councillor Tina Murphy. Seconded by Councillor Dave Clark.

The motion was carried on a division of 3 votes to 2 with no abstentions.

Amendment

Having considered all of the information presented to it that the Board grants the application for an occasional licence subject to the conditions set out in Appendix A (page 49) of the Licensing Standards Officer's report dated 17 January 2018 subject to the deletion of conditions 3 and 9 in relation to SIA Licensed Stewards, and subject to an additional condition to ensure that children aged 5 years and under have vacated the premises by 9.30 pm in accordance with the licensing objective (e) protecting children from harm.

Moved by Councillor Craig Holden. Seconded by Councillor Martha Benny.

The motion as amended was agreed without division.

Decision

Accordingly, having considered all of the information presented to it, the Board agreed to grant the application for an occasional licence subject to the conditions set out in Appendix A

(page 49) of the Licensing Standards Officer's report dated 17 January 2018 subject to the deletion of conditions 3 and 9 in relation to SIA Licensed Stewards and subject to an additional condition to ensure that children aged 5 years and under have vacated the premises by 9.30 pm in accordance with the licensing objective (e) protecting children from harm, namely:

- All alcohol must be sold and supplied to the customer in or decanted into, plastic or polycarbonate bottles and drinking vessels.
- Only alcohol sold at the event by the licensee can be consumed at the event.
- At least one person who holds a suitable first aid qualification must be on duty at the event.
- At least one Personal Licence Holder must be on the premises for the duration of event, and be responsible for authorising all sales of alcohol.
- Only staff trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007 are permitted to make sales of alcohol, and all staff authorised to serve and sell alcohol will have them a training certificate in the prescribed form.
- Any music or other entertainment must cease at no later than 15 minutes prior to the end of licensed hours.
- No glass or other forms of waste likely to produce excessive noise will be disposed of in the external bins at the premises after 9pm and before 10am the following morning.
- Children aged 5 years and under must vacate the premises by 9.30pm in accordance with the licensing objective (e) protecting children from harm

Action

Clerk to the Board

7.0 REVOCATION OF PERSONAL LICENCES

A report in respect of Personal Licence Holders who had failed to notify the Board of completion of prescribed training was submitted by the Clerk to the Board.

The Licensing (Scotland) Act 2005 prescribes that all personal licence holders must undergo mandatory training in a form prescribed by the Scottish Ministers no later than three months following the period beginning five years from the date that the personal licence was issued. Personal licences that were issued between June 2012 and October 2012 granted a licence from this date had until August 2017 and December 2017 to complete the mandatory refresher training, failing which the Board must revoke the licence.

Motion

That the Board make a formal decision to revoke the personal licences set out in the table appended to this report in terms of section 87(3) of the Licensing (Scotland) Act 2005.

Moved by Councillor Craig Holden. Seconded by Councillor Tina Murphy.

Decision

The Board agreed unanimously to revoke the personal licences set out below in terms of Section 87(3) of the Licensing (Scotland) Act 2005:

Name	Licence No	Name	Licence No
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Adam Steedman	CC478	George Rennie	CC485
Brian Morgan	CC487	Janice Hunter	CC500
Christine Conroy	CC490	Laura Kelly	CC479
David Beer	CC501	Liam Peter Hunter	CC479
Fay Betsy Singleton	CC497	Vincent Doyle	CC463
Ian William Dixon	CC483	Bryan Starkey	CC499
Katrina Lennon	CC492	Christopher McCluskie	CC469
Leona Catherine Orr	CC488	Elaine McIntyre	CC467
Amelia Johnstone	CC493	Hannah Clark	CC496
Bryan Frew	CC475	Karen Ferguson	CC473
Christopher Hunter	CC475	Laura Roberson	CC480
Derek McIntyre	CC468	Regis Lemaitre	CC465
Beverley Halliday	CC505	Scott Maxwell	CC498

Action

Clerk to the Board

8.0 AOCB

An application for an Occasional Licence submitted as AOCB was taken as item 6(ii) to accommodate the applicant attending for item 6(i).

Ends 1000 hrs